

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Vice Chair Dee Brown, on February 20, 2017 at 9:00 AM, in Room 422 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Daniel R. Salomon (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 167, 2/16/2017; SB 222, 2/16/2017; SB 245, 2/16/2017; SB 294, 2/16/2017

Executive Action: Do Pass: SB 219; Adopt: SR 24; Table: SB 209, SB 304

00:00:01 Chair Brown

**HEARING ON SB 167**

**Opening Statement by Sponsor:**

00:00:55 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 167. Generally revise laws pertaining to insurance offenses.

**Proponents' Testimony:**

00:02:44 Barbara Harris, Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI)

**Opponents' Testimony:**

00:04:16 Greg Van Horssen, State Farm Insurance Company

00:07:31 Bruce Spencer, Allstate Insurance Company

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:08:35 Sen. Facey

00:10:15 Ms. Harris, CSI

00:12:00 Sen. Fitzpatrick

00:14:07 Ms. Harris

**Closing by Sponsor:**

00:15:14 Sen. Vincent

00:15:58 Sen. Buttrey entered the hearing and assumed the position of chair.

**HEARING ON SB 222**

**Opening Statement by Sponsor:**

00:16:23 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 222. Revise insurance laws relating to annuity surrender fees.

**Proponents' Testimony:**

00:18:00 Bob Biskupiak, deputy insurance commissioner, Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI)

00:20:25 Bill Warden, National Association of Insurance and Financial Advisors (NAIFA)

**Opponents' Testimony:**

00:21:11 Jon Metropoulos, American Council of Life Insurers  
00:22:13 Bruce Spencer, Allstate Insurance Company (AIC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:23:15 Sen. Brown  
00:23:45 Mr. Spencer, AIC  
00:24:20 Sen. Facey  
00:24:23 Mr. Warden, NAIFA redirect  
00:24:45 Mr. Biskupiak, CSI  
00:25:07 Sen. Connell  
00:25:54 Sen. Fitzpatrick  
00:26:59 Chair Buttrey

**Closing by Sponsor:**

00:27:18 Sen. Fitzpatrick  
00:27:44 Chair Buttrey

**HEARING ON SB 245**

**Opening Statement by Sponsor:**

00:27:58 Sen. Daniel Salomon (R), SD 47, opened the hearing on SB 245. Generally revise Montana captive insurance laws.

**Proponents' Testimony:**

00:29:56 John Huth, Montana Captive Insurance Association  
00:31:16 Amy Grmoljez, Montana Captive Insurance Association  
00:34:49 Brenda Ash, Montana Captive Insurance Association, Captive Insurance Companies, Aceterrus Insurance Resources (MCIA )

**EXHIBIT(bus37a01)**

00:36:50 Webb Brown, Montana Chamber of Commerce  
00:37:44 Dan Stusek, Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:39:28 Sen. Facey

00:40:08 Ms. Ash, MCIA

**Closing by Sponsor:**

00:40:15 Sen. Salomon

00:40:38 Chair Buttrey

**HEARING ON SB 294**

**Opening Statement by Sponsor:**

00:41:09 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 294. Generally revise laws related to state government pay plans.

**Proponents' Testimony:**

00:47:32 Eric Feaver, Montana Education Association and the Montana Federation of Teachers, Montana Public Employees Association

00:51:17 Chris Cavazos, American Federation of Labor-Congress of Industrial Organizations

**Opponents' Testimony:** None

**Informational Testimony:**

00:51:47 Chris Wilkenson, Legislative Fiscal Division (LFD)

00:52:05 Will Soller, Legislative Audit Division (LAD)

**Questions from Committee Members and Responses:**

00:52:46 Sen. Brown

00:54:20 Mr. Soller, LAD redirect

00:54:37 Sen. Fitzpatrick redirect

00:55:15 Sen. Brown

00:57:11 Ms. Wilkinson, LFD

**Closing by Sponsor:**

00:57:56 Sen. Fitzpatrick

00:58:14 Chair Buttrey

00:59:56 Sen. Vance

00:58:26 Recess

01:17:44 Reconvene

01:17:49 Chair Buttrey

**EXECUTIVE ACTION ON SB 219**

01:17:58 **Motion/Vote:** Sen. D. Brown moved that **SB 219 DO PASS**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SR 24**

01:18:51 **Motion:** Sen. D. Brown moved that **SR 24 BE ADOPTED**.

**Discussion:**

01:19:19 Chair Buttrey

01:19:23 Sen. Brown

01:19:41 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 209**

01:19:51 **Motion:** Sen. D. Brown moved that **SB 209 DO PASS**.

**Discussion:**

01:20:03 Sen. Smith

01:21:01 Sen. Brown

01:21:38 Sen. Facey

01:22:08 Sen. Smith

01:21:59 **Vote:** Motion failed 3-7 by roll call vote with Sen. Facey, Sen. Small and Sen. F. Smith voting aye.

01:22:59 **Motion/Vote:** Sen. D. Brown moved that **SB 209 BE TABLED**. Motion carried 9-1 by voice vote with Sen. F. Smith voting no.

**EXECUTIVE ACTION ON SB 304**

01:23:31 **Motion:** Sen. D. Brown moved that **SB 304 BE TABLED**.  
[EXHIBIT\(bus37a02\)](#)

**Discussion:**

01:23:38 Chair Buttrey

01:24:02 **Vote:** Motion carried unanimously by voice vote.

**Committee Business:**

01:24:17 Sen. Facey

01:25:15 Sen. Buttrey

**ADJOURNMENT**

Adjournment: 10:27 AM

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT**([bus37aad.pdf](#))